

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Revenue Department - Disciplinary proceedings against Sri G.Sreenivasulu, formerly Mandal Revenue Officer, Porumamilla Mandal, Y.S.R.District, Kadapa on the allegation of demand and acceptance of bribe - Disciplinary action initiated - Charges framed - Enquiry - Enquiry Report communicated for his representation - Provisional decision to impose a punishment of withholding of entire pension and gratuity in full permanently - Show Cause Notice - Representation submitted - Impose a punishment of withholding of entire pension and gratuity in full permanently - orders - Issued

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REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No. 808

Dated: 01.06.2013.

Read the following:

- 1) From the D.G., A.C.B., Hyderabad, REVENUE (VIGILANCE.II) DEPARTMENT.No.179/RCT-TCD/2007, dt.26.9.2008.
- 2) G.O.Ms.No.2298, Revenue (Vig.II) Department, dt.27.12.08.
- 3) Written Statement of Defence of Sri G.Sreenivasulu, formerly Tahsildar, Porumamilla, Kadapa District, dt.2.2.2009.
- 4) G.O.Rt.No.824, Revenue (Vig.II) Department, dt.30.6.2009.
- 5) G.O.Rt.No.825, Revenue (Vig.II) Department, dt.30.6.2009.
- 6) From the Commissioner of Inquiries, A.P.Secretariat, Hyderabad, D.O.Lr.No.920/COI-SB/2009, dated 27.12.2012.
- 7) Government MemoNo.58034/Vig.II(2)/2007-4, dt.14.02.2012.
- 8) Representation of Sri G.Srinivasulu, former M.R.O.(now retired), dt.05.03.2012.
- 9) Govt memo No. 58034/Vig.II(2)/2007-5 dt. 24.4.12
- 10) Repn. Of Sri G.Srinivasulu former MRO (now retired) dt.1.8.2012
- 11)From the Secretary A.P.P.S.C., Hyderabad, Lr.No.610/RT/3/ 2013, dt.19.03.2013.

In the reference 1st cited, the Director General, Anti-Corruption Bureau has stated that Sri G.Sreenivasulu, while working as Tahsildar, Porumamilla Mandal, Y.S.R.District, Kadapa, was trapped by the Anti Corruption Bureau authorities on 12.09.2007 for alleged demand and acceptance of bribe from the complainant Sri P.V.Subbaiah for doing official favour of not cancelling the four D.K.T.Pattas issued in the name of the wife of the complainant, his brother and his two sisters-in-law. The Director General, Anti-Corruption Bureau while furnishing the final report has recommended to prosecute the Accused Officer in a court of law and also to initiate departmental action for violation of conduct Rules. After examining the matter Government have decided to entrust the case to Commissioner of Inquiries instead of prosecution. In the mean time, Sri G.Sreenivasulu, Tahsildar has retired from service on 31.05.2010 on attaining the age of superannuation.

2. After examining the matter, Government have initiated departmental action by framing charges against Sri G.Sreenivasulu, formerly Tahsildar, Porumamilla Mandal, Y.S.R.District, Kadapa on the allegation of corruption vide reference 2nd cited. In the 3rd cited, the Charged Officer has submitted his written statement of defence denying the charges. After considering the Written Statement of Defence, Government have appointed Dr.Subhrendu Bhattacharya, I.A.S., Member, Commissioner of Inquiries to enquire into the charges framed against Sri G.Sreenivasulu, formerly Tahsildar, Porumamilla Mandal, Y.S.R.District, Kadapa under Rule 20 (2) of Andhra Pradesh Civil Services (CCA) Rules, 1991 in the reference 4th cited.

3. In the reference 6th cited, the Inquiring Authority, Commissioner of Inquiries, after conducting enquiry has furnished the enquiry report against Sri G.Sreenivasulu, formerly Tahsildar, Porumamilla Mandal, Y.S.R.District, Kadapa, wherein, the Inquiring Authority held that the charge framed against him as proved. Accordingly, a copy of the enquiry report has been furnished to Sri G. Sreenivasulu, formerly Tahsildar, Porumamilla Mandal, Y.S.R.District, Kadapa and directed him to submit his explanation vide reference 7th cited.

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4. In the reference 8th cited, the Charged Officer has submitted his representation stating that there was no official favour pending with him and he never demanded and accepted any bribe from Sri P.V.Subbaiah and the report of the Inquiring Authority is neither based on facts nor on law. He has therefore, requested to consider these aspects and drop further action against him.

5. After examining the representation of Sri G.Sreenivasulu, Tashidlar (Retd) keeping in view the findings of the enquiry report, Government have taken provisional decision to impose a punishment of withholding of entire pension and gratuity in full permanently. Accordingly, in the reference 9th cited, a show cause notice was issued to Sri G.Sreenivasulu, formerly Tahsildar, (now retired) for his further representation. In the reference 10th cited G.Sreenivasulu, formerly Tahsildar, (now retired) has submitted a representation to Govt. stating that he was trapped by Anti-Corruption Bureau on 12.09.2007 on the allegation of demand and acceptance of bribe from the complainant, which was not correct. He has cancelled the uncultivated assigned lands on 28.08.2007 and for this notices were served earlier on them on 23.07.2007 and they were not cultivated by the complainant and his relatives consecutively for 3 years from the date of Assignment. As per procedure as he has issued notices for cancelling the lands and when there was no explanation from them. Therefore, he has cancelled the uncultivated lands on 28.08.2007 but not done any official favour. The Anti-Corruption Bureau people filed a false case against him on 12.09.2007. He has further stated that the enquiry officer, in his report, has stated that the charge has been proved. It is not correct when the complainant himself gave a statement before the enquiry officer stating that was implicated in the Anti-Corruption Bureau case only with a grudge that he has cancelled his and his relatives lands and there was no fault on his part. The complainant's statement in this regard has not been considered by the Enquiry officer. Therefore he has requested to consider the statement of the complainant to the effect that he has not done any official favour to the complainant and requested not to stop his pension and other benefits to eke out his livelihood.

6. Government, after examination of the explanation of the Delinquent Officer, and keeping in view of the findings of the Enquiry Officer have observed that the Accused Officer has attempted to weave a story that he was caught red-handed while accepting a "hand loan" requested by him from the complainant. Normally a person would seek loan from an individual who is believed to have trust on him. Hence, if the complainant had agreed to give him the hand loan, he would not go to the Anti-Corruption Bureau to lodge a complaint. Hence, Government hereby impose a punishment of withholding the entire pension and gratuity in full permanently on Sri G.Sreenivasulu, formerly Tahsildar, Porumamilla Mandal, Y.S.R.District, Kadapa (now retired) after due consultation with Andhra Pradesh Public Service Commission. A copy of the Andhra Pradesh Public Service Commission concurrence is enclosed herewith.

7. The Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.G. GOPAL
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To
The Chief Commissioner of Land Administration,
A.P., Hyderabad.
The District Collector, Anantapur.
Sri K.Venkateswarlu, formerly Mandal Revenue Officer,
Peddappur (M), Ananthapur District through Collector, Ananthapur.
The Secretary, Andhra Pradesh Public Service Commission,
Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
S.f./S.c.

//FORWARDED BY ORDER//

SECTION OFFICER